

IN THE HIGH COURT OF PUNJAB AND HARYANA  
AT CHANDIGARH

(102+205)

CRM-11475-2022 in/and  
CRM-M-11757-2022  
Date of Decision : April 07, 2022

Rahul

.. Petitioner

Versus

State of Haryana

.. Respondent

**CORAM: HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI**

Present: Mr. Vikas Lochab, Advocate, for the petitioner.

Mr. Narender Singh Behgal, Assistant Advocate General,  
Haryana.

**HARSIMRAN SINGH SETHI J. (ORAL)**

**CRM-11475-2022**

Present application has been filed for placing on record the copy of the statement of PW-1 namely Sandeep in compliance of the order dated 24.03.2022 passed by this Court.

Keeping in view the averments made in the application, the same is allowed and copy of the statement of PW-1 namely Sandeep, is permitted to be taken on record.

**CRM-M-11757-2022**

Present petition has been filed under Section 439 Cr.P.C for the grant of regular bail to the petitioner in respect of FIR No.332 dated 12.06.2021 registered under Sections 307 and 34 of the IPC and Section 25

of the Arms Act, 1959 at Police Station Kundli, Sonipat.

Learned counsel for the petitioner argues that in fact, the allegations alleged in the FIR are incorrect, which is clear from the subsequent development wherein, even the complainant has not supported the prosecution version. Learned counsel for the petitioner submits that as per the testimony of the complainant, the petitioner is not one, who was involved in the present case and therefore, as the petitioner is behind the bars since 12.06.2021 and the trial is likely to take some time before it concludes, the petitioner may kindly be extended the benefit of regular bail.

Learned counsel for the respondent-State submits that though the complainant has not supported the prosecution version but there are other witnesses, who are yet to be examined and therefore, the innocence being claimed by the petitioner is not correct. Learned counsel for the respondent-State further submits that the allegations alleged against the petitioner are serious in nature and therefore, the prayer of the petitioner for the grant of regular bail may kindly be declined.

I have heard learned counsel for the parties and have gone through the record with their able assistance.

In the present case, the complainant has already been examined and it is a conceded position that he has not supported the prosecution version so as to identify the petitioner as being accused though, the guilt and the innocence of the petitioner will be adjudged keeping in view the complete evidence which will come on record during trial. As the trial is likely to take some time before it concludes keeping in view the restricted working of the Courts due to the pandemic of Covid-19, no useful purpose will be achieved in keeping the petitioner behind the bars especially when

learned counsel for the petitioner has undertaken before this Court in case the concession of regular bail is extended to the petitioner, he will not misuse the same either by influencing the trial or the witnesses in any manner.

In view of the above and without commenting upon the merits of the case, it is directed that the petitioner be released on regular bail, subject to the satisfaction of the trial Court/Duty Magistrate concerned.

However, it is made clear that anything observed herein shall not be construed to be an expression of any opinion on the merits of the case.

**April 07, 2022**  
*harsha*

**(HARSIMRAN SINGH SETHI)**  
**JUDGE**

Whether speaking/reasoned : Yes/No  
Whether reportable : Yes/No